

November 15, 2000

**TO:** Mayor and City Council

**FROM:** John Lettelleir, Director of Planning

**SUBJECT:** Results of the Planning & Zoning Meeting November 14, 2000

**The following item is scheduled for the December 5, 2000 City Council Meeting**

**Public Hearing:** Zoning Case Z2000-57  
**Applicant(s):** Bert Fields, Jr.

**DESCRIPTION:**

A request to rezone 441.0± acres on the southwest corner of Legacy Drive and Citation Court from Agricultural to Information & Technology. Neighborhood #39.

**APPROVED:** 4-0 **DENIED:** \_\_\_\_\_ **TABLED:** \_\_\_\_\_

**RECOMMENDATION:**

Recommended for approval as:

Retail (2.4± acres),

Planned Development-Information & Technology and Planned Development Single-Family-5/Patio Home with the following conditions:

Planned Development-Information & Technology District (423.4+ acres)

This tract may be developed under the regulations of the Information & Technology (IT) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional conditions:

1. The following documents shall be submitted with the preliminary site plan, or site plan if a preliminary site plan is not required, of any lot adjacent to Stewart Creek:
  - a. Wetland Delineation Study;
  - b. Habitat Study; and
  - c. Vegetative Study.
2. Where off-street parking and loading areas are located between the 100-year flood plain and a building, one (1) minimum three-inch (3") caliper tree per thirty (30) linear feet and three (3) five (5) gallon shrubs per fifteen (15) linear feet shall be planted between the 100-year flood plain and the off-street parking and loading area. Should the centerline of the creek serve as a property line, these shrubs and trees shall satisfy the landscaping requirement listed as Section 39.6(E)(1)(c)(4) of the Zoning Ordinance.

3. Where a restaurant of greater than 4000 square feet is located on a lot adjacent to Stewart Creek, the restaurant shall provide an outdoor dining area with a minimum area of 750 square feet between the building and Stewart Creek. Off-street parking shall not be required for the first 750 square feet of outdoor dining areas.
4. Within the area shown on Exhibit A as "Area of Restricted Height", maximum building height is forty (40) feet.

Planned Development-Single-Family-5 (9.7± acres)/Patio Home (5.5± acres) with the following planned development standards:

Planned Development-Single-Family Residential District-5 (9.7+ acres)

This tract may be developed under the regulations of the Single-Family Residential-5 (SF-5) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional conditions:

1. Minimum lot area shall be 7,800 square feet.
2. Minimum lot width shall be sixty-five feet (65'). Lots located on a cul-de-sac or eyebrow/elbow shall have a minimum lot width of sixty feet (60').
3. Minimum rear yard shall be ten feet (10'). Any rear entry garages that face the rear lot line shall be set back a minimum of twenty feet (20') from the rear lot line. Rear entry garages with swing-in driveways shall be set back a minimum of ten feet (10') from the rear property line.

Planned Development-Patio Home District (5.5+ acres)

This tract may be developed under the regulations of the Patio Home (PH) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional conditions:

1. For both the "zero side" and "center load" options, minimum lot area shall be 6,000 square feet.
2. For both the "zero side" and "center load" options, minimum lot width shall be fifty-five feet (55'). Lots located on a cul-de-sac or eyebrow/elbow shall have a minimum lot width of fifty feet (50').
3. For both the "zero side" and "center load" options, minimum rear yard shall be ten feet (10'). Any rear entry garages that face the rear lot line shall be set back a minimum of twenty feet (20') from the rear lot line. Rear entry garages with swing-in driveways shall be set back a minimum of ten feet (10') from the rear property line.

DM/sg

cc: Bert Fields 214-361-0204  
William Cothrum 214-748-7114  
Frank Jaromin  
Donnie Mayfield  
Mack Borchardt

<b>Agenda No.:</b>	<b>6</b>
<b>Public Hearing:</b>	Zoning Case Z2000-57
<b>Applicant(s):</b>	Bert Fields, Jr.

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**DESCRIPTION:**

A request to rezone 441.0± acres on the southwest corner of Legacy Drive and Citation Court **from** Agricultural **to** Information & Technology. Neighborhood #39.

**REMARKS:**

This is a request to rezone 441.0± acres on the southwest corner of Legacy Drive and Citation Court from Agricultural to Information & Technology. At staff's request, the applicant has modified the request to include Retail (2.4± acres) and Planned Development-Information & Technology (423.4± acres)/Single-Family-5 (9.7± acres)/Patio Home (5.5± acres). The proposed planned development standards are:

Planned Development-Information & Technology District (IT)

This tract may be developed under the regulations of the Information & Technology (IT) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional conditions:

1. The following documents shall be submitted with the preliminary site plan, or site plan if a preliminary site plan is not required, of any lot adjacent to Stewart Creek:
  - a. Wetland Delineation Study;
  - b. Habitat Study; and
  - c. Vegetative Study.
2. Where off-street parking and loading areas are located between the 100-year flood plain and a building, one (1) minimum three-inch (3") caliper tree per thirty (30) linear feet and three (3) five (5) gallon shrubs per fifteen (15) linear feet shall be planted between the 100-year flood plain and the off-street parking and loading area. Should the centerline of the creek serve as a property line, these shrubs and trees shall satisfy the landscaping requirement listed as Section 39.6(E) (1)(c)(4) of the Zoning Ordinance.
3. Where a restaurant of greater than 4000 square feet is located on a lot adjacent to Stewart Creek, the restaurant shall provide an outdoor dining area with a minimum area of 750 square feet between the building and Stewart Creek. Off-street parking shall not be required for the first 750 square feet of outdoor dining areas.
4. Within the area shown on Exhibit A as "Area of Restricted Height", maximum building height is forty (40) feet.

Planned Development-Single-Family Residential District-5 (SF-5)

This tract may be developed under the regulations of the Single-Family Residential-5 (SF-5) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional conditions:

1. Minimum lot area shall be 7,800 square feet.
2. Minimum lot width shall be sixty-five feet (65'). Lots located on a cul-de-sac or eyebrow/elbow shall have a minimum lot width of sixty feet (60').
3. Minimum rear yard shall be ten feet (10'). Any rear entry garages that face the rear lot line shall be set back a minimum of twenty feet (20') from the rear lot line. Rear entry garages with swing-in driveways shall be set back a minimum of ten feet (10') from the rear property line.

#### Planned Development-Patio Home District (PH)

This tract may be developed under the regulations of the Patio Home (PH) district as outlined in Ordinance No. 93-07-11 as it currently exists or may be amended, subject to the following additional conditions:

1. For both the "zero side" and "center load" options, minimum lot area shall be 6,000 square feet.
2. For both the "zero side" and "center load" options, minimum lot width shall be fifty-five feet (55'). Lots located on a cul-de-sac or eyebrow/elbow shall have a minimum lot width of fifty feet (50').
3. For both the "zero side" and "center load" options, minimum rear yard shall be ten feet (10'). Any rear entry garages that face the rear lot line shall be set back a minimum of twenty feet (20') from the rear lot line. Rear entry garages with swing-in driveways shall be set back a minimum of ten feet (10') from the rear property line.

Zoning and land use of the surrounding properties are as follows:

Direction	Land Use	Zoning	Comprehensive Plan
North	Undeveloped and Abandoned Jetport	PD-40 and Agricultural	Technology
East	Undeveloped and Single-Family Residential	PD-96-Single-Family-5 /Patio Home/Retail and Agricultural	Single-Family Residential and Retail
South	Sewage Treatment Plant and Single-Family Residential	Industrial	Public & Semi-Public and Single-Family Residential
West	Undeveloped	Agricultural	Technology, Public & Semi-Public, and Parks and Open Space

#### Conformance to the Comprehensive Plan

**Future Land Use Plan** -- The Future Land Use Plan shows technology uses for the property on the west side of Legacy Drive. Single-family residential uses are designated on the east side of Legacy Drive with retail uses shown at the southeast corner of Stonebrook Parkway and Legacy Drive. The request complies with the Future Land Use Plan.

**Thoroughfare Plan** -- The Thoroughfare Plan shows Legacy Drive and Stonebrook Parkway, both six-lane divided thoroughfares, bordering the request. The zoning exhibit shows future right-of-way for Legacy Drive and Stonebrook Parkway. The location of Stonebrook Parkway is shown further north than proposed on the preliminary plat of Cheyenne Hills, a residential subdivision located

between Legacy Drive and the Burlington Northern-San Francisco Railroad. The City's consulting engineer has advised staff that Stonebrook Parkway will need to be constructed in this location due to the location of Stonebrook Parkway on the east side of the railroad, the probability of an above-grade railroad crossing, and the potential bridge location between the railroad and Legacy Drive.

**Environmental Considerations** -- The City's environmental analyses contained within the Comprehensive Plan identify floodplains and wetlands, slopes, soils, or sensitive habitats which are unsuitable for development on portions of the property. Unsuitable slopes and soils can generally be overcome with sound engineering practices.

**Access** -- Access to the property will be provided from future Legacy Drive and future Stonebrook Parkway.

**Water and Sanitary Sewer Services** -- A water line extends along the north boundary of the property and a sewer line extends along the west boundary of the property. In addition, utilities are being extended to the southeast corner of the property with the development of Cheyenne Hills.

**Schools** -- Elementary are generally not appropriate adjacent to major thoroughfares or in a commercial setting. The property at the southeast corner of future Stonebrook Parkway and future Teel Parkway is envisioned as a high school site. High schools are preferred on a major thoroughfare, because many students drive to school.

**Parks** -- A regional park is planned for the property to the west. Neighborhood parks are generally not provided in non-residential locations.

**Planned Development Zoning** -- The Comprehensive Plan recommends that the City should be extremely judicious in the consideration and approval of planned developments. Planned Development should generally be used to achieve the following:

- Preserve topography, vegetation and/or open space

Staff recommends that a planned development be created for the Information & Technology zoning adjacent to Stewart Creek to preserve areas developed adjacent to the creek. Consistent with the "creek ordinance", staff proposes to require wetland delineation, habitat, and vegetative studies for development of property adjacent to Stewart Creek. Landscaping requirements adjacent to the floodplain are also proposed to be modified. Restaurants of 4,000 square feet or greater on a lot adjacent to Stewart Creek would be required to have an outdoor dining area with a minimum area of 750 square feet, but 750 square feet of floor area would not be counted towards off-street parking requirements.

- Carry out specific goals of the Comprehensive Plan or other special studies

The Comprehensive Plan encourages flood plains and wetlands to be preserved as open and natural areas with visual corridors so that these areas may be enjoyed by the community. The proposed development standards require landscaping to separate the flood plain from loading and/or parking areas.

- Provide flexible development standards when appropriate, not to reduce development standards

Modified standards are being proposed for the Single-Family-5 and Patio Home districts, because of its adjacency to Planned Development-96. With the exception of a reduction in the rear yard when providing a swing-in garage, the planned development standards actually increase

development standards. For the Single-Family-5 district, minimum lot area is increased from 7,000 square feet to 7,800 square feet and minimum lot width is increased from 60 feet to 65 feet for lots not located on a cul-de-sac or elbow. For the “zero side” option of the Patio Home district, minimum lot area is increased from 5,000 square feet to 6,000 square feet and minimum lot width is increased from 50 feet to 55 feet for lots not located on a cul-de-sac or elbow.

#### **RECOMMENDATION:**

Recommended for approval as Retail (2.4± acres), Planned Development-Information & Technology (423.4± acres), and Planned Development-Single-Family-5 (9.7± acres)/Patio Home (5.5± acres) with the following planned development standards:

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